

(D)

3



0424L18.12F

HOUSE _____ AMENDMENT NO. _____

OFFERED BY

REP. Byrd of St Louis County 99

Amend HCS 55555 Bill No. 36 Page 21 Section 640.037 Line 19

by inserting the following at the end of said line

"640.805.1.All authority to hear appeals of findings, orders, decisions or assessments on permits, licenses, registrations, administrative penalties, civil penalties, abatement orders, emergency orders and any other actions that are granted to the director of the department of natural resources in chapters 260, 278, 444, 640, 643, and 644, RSMo, the hazardous waste management commission in chapter 260, RSMo, the state soil and water districts commission in chapter 278, RSMo, the land reclamation commission in chapter 444, RSMo, the safe drinking water commission in this chapter, the air conservation commission in chapter 643, RSMo, and the clean water commission in chapter 644, RSMo, shall be transferred to the administrative hearing commission pursuant to chapter 621, RSMo.

2.Except as otherwise provided by law, any person or entity who is a party to any finding, order, decision or assessment for which the authority to hear appeals was transferred to the administrative hearing commission in subsection 1 of this section shall be entitled to a hearing before the administrative hearing commission by the filing of a petition with the administrative hearing commission within thirty days after any such finding, order, decision or assessment is placed in the United States mail or within thirty days any such finding, order, decision or assessment is delivered, whichever is earlier.

3.Any finding, order, decision or assessment by the director of the department of natural resources or any commission for which the authority to hear appeals was transferred to the administrative hearing commission in subsection 1 of this section shall contain a notice of the right of appeal in substantially the following language:

"If you were adversely affected by this decision, you may appeal to the administrative hearing commission.To appeal, you must file a petition with the administrative hearing commission within thirty days after the date this decision was mailed or the date it was delivered, whichever date was earlier.If any such petition is sent by registered mail or certified mail, it will be deemed filed on the date it is mailed; if it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date it is received by the administrative hearing commission."

HF308-2 1/03

CLERK'S COPY